

Hunting

ORDERLY CONDUCT 9.01

9.946.41	Resisting or Obstructing Officer
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9.946.65	Obstructing Justice
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9.947.01	Disorderly Conduct
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9.02 POSSESSION AND USE OF FIREARMS AND OTHER DANGEROUS WEAPONS. (1) DEFINITIONS. For the purpose of this section, the following definitions shall apply:

(a) Firearm. Any weapon from which a shot may be fired by the force of an explosive or propellant, including, but not limited to, rifles, pistols, shotguns, air guns and BB guns.

(b) Other Dangerous Weapon. Includes bow and arrow, crossbow, sling shot, blow gun and other similar weapons.

(c) Public Building. Any building, including the grounds thereof, owned by the Town, the County or the School District.

(d) Public Land. Any land owned by the Town, the County or the School District.

(e) Public Place. Any privately owned building which is open to the public.

(2) POSSESSION OF FIREARMS IN PUBLIC PLACE PROHIBITED. In addition to the provisions of sub. (3) below, no person except duly authorized law enforcement officers specifically authorized by law to carry firearms, shall possess a firearm while in any public building or on public land within the Town. No person shall possess a firearm while in any public place within the Town unless written consent to so possess a firearm has been given by the owner or lessee of such public place, and such possession is not contrary to §440.26, Wis. Stats.

(3) USE OF FIREARMS REGULATED. (a) It shall be unlawful for any person other than police officers in the performance of their official duties to use, shoot or discharge within the boundaries of the Town any firearm or air gun using a single slug or pellet, except that the same may be used in accordance with the State law and administrative regulations during deer season.

(b) It shall be unlawful for any person other than police officers in the performance of their duties to use or shoot a shot gun, rifle, air gun, pistol or bow and arrow:

1. Within 500 feet of any dwelling house within the Town unless such person is the owner or occupant of such dwelling house or a member of the immediate family of such owner or occupant.

2. Upon the lands of another person without permission from the owner or occupant of such lands.

3. Along or within 200 feet of any public highway.

4. Upon the lands owned by the Town which are located in the west 1/2 of the west 1/2 of the southwest 1/4 of Section 14.

5. In such a manner as to endanger or impose upon the safety, lives and property of other persons.

(4) USE OF OTHER DANGEROUS WEAPONS REGULATED. No person shall shoot or discharge any other dangerous weapon anywhere in the Town.

9.03 THROWING OR SHOOTING OF ARROWS, STONES AND OTHER MISSILES PROHIBITED. No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile by hand or by any other means at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Town.

9.04 POSSESSION OF MARIJUANA. (1) PROHIBITED. Subject to sub. (2) below and subject to the exception provided in §161.41(3r), Wis. Stats., no person shall possess marijuana, as defined in §161.01(14), Wis. Stats.

(2) EXCEPTIONS. This section shall not apply to a person who possesses more than 25 grams of marijuana or to a person who is charged with possession of any amount of marijuana following a conviction for possession of marijuana in this State.

(3) PENALTY. Any person who shall violate sub. (1) above, except as provided in sub. (2) above, shall, upon conviction, be subject to a forfeiture as provided in sec. 25.04 of this Code.

9.05 SALE AND USE OF FIREWORKS REGULATED. (1) DEFINITIONS. For purposes of this section, "legal fireworks" means those items which from time to time are excluded from the definition of "fireworks" as set forth in §167.10(1), Wis. Stats., specifically:

(a) A cap containing not more than 1/4 grain of explo-

Town of Polk Discharge of Firearms Regulations

WHEREAS, Section 66.0409(3)(b) of the Wisconsin Statutes permits towns that have been authorized to exercise Village Powers under Section 60.22(3) of the Wisconsin Statutes to enact Ordinances restricting the discharge of firearms; and

WHEREAS, Section 29.038(3) of the Wisconsin Statutes permits a local governmental unit to enact an Ordinance, adopt a regulation, resolution, or other restriction that has an incidental effect on hunting, fishing, or trapping, but only if the primary purpose is to further public safety; and

WHEREAS, the Town of Polk is authorized to enact Ordinances in order to protect the public health, safety and welfare by Sections 60.22(1), 60.22(3), 61.32 and 61.34 of the Wisconsin Statutes; and

WHEREAS, the Town of Polk has determined that it is reasonable and necessary to prohibit the use of rifles within the Town in order to protect the public health and safety;

NOW, THEREFORE, the Town Board of Polk, Washington County, Wisconsin, does hereby ordain the following:

It shall be unlawful for any person to discharge a rim fire rifle larger than .22 caliber or any center-fire rifle .22 caliber or larger anywhere within the boundaries of the Town.

Any person who shall violate this Ordinance shall, upon conviction thereof, be subject to a forfeiture of not less than \$60.00, and no more than \$200.00 + court/attorney costs. Each day that a violation is committed shall constitute a separate violation.

Unless otherwise indicated, the prohibitions of this section shall not apply to:

- (a) Any peace officer(s) in the lawful performance of their duties.
- (b) Any member of the U.S. armed force or the National Guard in the lawful performance of their duties.

This Ordinance shall be effective on the day after its enactment and publication of this Ordinance or an appropriate notice thereof as provided by law.

Adopted at a meeting of the Town Board on November 12, 2013.

Albert J. Schulteis, Chairman Albert Schulteis

Harold Groth, Supervisor Harold Groth

Theodore C. Merten, Supervisor Theodore Merten

Marlyss K. Thiel, Marlyss K. Thiel, Town Clerk
(Drafted from DNR Template)